



General Assembly

January Session, 2001

Raised Bill No. 1118

LCO No. 3585

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING TAX ON SNUFF TOBACCO PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-330a of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 As used in this chapter: "Commissioner" means the Commissioner
4 of Revenue Services; "tobacco products" means cigars, cheroots,
5 stogies, periques, granulated, plug cut, crimp cut, ready rubbed and
6 other smoking tobacco, snuff, snuff flour, cavendish, plug and twist
7 tobacco, fine cut and other chewing tobaccos, shorts, refuse scraps,
8 clippings, cuttings and sweepings of tobacco and all other kinds and
9 forms of tobacco, prepared in such manner as to be suitable for
10 chewing or smoking in a pipe or otherwise or for both chewing and
11 smoking, but shall not include any cigarette, as defined in section 12-
12 285; "distributor" means (1) any person in this state engaged in the
13 business of manufacturing tobacco products, (2) any person who
14 purchases tobacco products at wholesale from manufacturers or other
15 distributors for sale, or (3) any person who imports into this state
16 tobacco products, at least seventy-five per cent of which are to be sold;
17 "unclassified importer" means any person, other than a distributor,

18 who imports, receives or acquires tobacco products from outside this
19 state for use or consumption in this state; "sale" or "sell" includes or
20 applies to gifts, exchanges and barter; "wholesale sales price" means, in
21 the case of a manufacturer of tobacco products, the price set for such
22 products or, if no price has been set, the wholesale value of such
23 products, and, in the case of a distributor who is not a manufacturer of
24 tobacco products, the price at which the distributor purchased such
25 products, and, in the case of an unclassified importer of tobacco
26 products, the price at which the unclassified importer purchased such
27 products.

28 Sec. 2. Section 12-330d of the general statutes is repealed and the
29 following is substituted in lieu thereof:

30 Each licensed distributor and each licensed unclassified importer
31 shall file with the commissioner, on or before the twenty-fifth day of
32 each month, a report for the calendar month immediately preceding in
33 such form and containing such information as the commissioner may,
34 by regulations, in accordance with the provisions of chapter 54,
35 prescribe. The return shall be accompanied by a payment of the
36 amount of the tax shown to be due thereon. The commissioner may, by
37 regulations adopted in accordance with chapter 54, require that each
38 distributor and unclassified importer report the names and addresses
39 of its customers, if any, annually, with changes in such lists to be
40 reported to the commissioner monthly not later than the tenth day of
41 each month. If any person fails to pay the amount of tax reported due
42 on its report within the time specified under this section, there shall be
43 imposed a penalty equal to ten per cent of such amount due and
44 unpaid, or fifty dollars, whichever is greater. Such amount shall bear
45 interest at the rate of one per cent per month or fraction thereof, from
46 the due date of such tax until the date of payment. Subject to the
47 provisions of section 12-3a, the commissioner may waive all or part of
48 the penalties provided under this chapter when it is proven to the
49 commissioner's satisfaction that the failure to pay any tax was due to
50 reasonable cause and was not intentional or due to neglect.

51 Sec. 3. Section 12-330c of the general statutes is repealed and the
52 following is substituted in lieu thereof:

53 (a) [(1)] A tax is imposed on all tobacco products held in this state
54 by any person, said tax to be at the rate of twenty per cent of the
55 wholesale sales price of such products.

56 [(2) A tax is imposed on all snuff tobacco products held in this state
57 by any person, said tax to be imposed as follows: Forty cents per ounce
58 of snuff and a proportionate tax at the like rate on all fractional parts of
59 an ounce of snuff. For purposes of this subsection, the tax on snuff
60 tobacco products shall be computed on the net weight as listed by the
61 manufacturer.]

62 (b) Said tax shall be imposed on the distributor or the unclassified
63 importer at the time the tobacco product [or snuff tobacco product] is
64 manufactured, purchased, imported, received or acquired in this state.

65 (c) Said tax shall not be imposed on any tobacco products [or snuff
66 tobacco products which] that (1) are exported from the state, or (2) are
67 not subject to taxation by this state pursuant to any laws of the United
68 States.

Statement of Purpose:

To reduce tax on nonpremium snuff tobacco products.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]